

1 SENATE BILL NO. 118

2 INTRODUCED BY DEPRATU

3 BY REQUEST OF THE DEPARTMENT OF JUSTICE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAWS GOVERNING LICENSE
6 PLATES; PROHIBITING, WITH EXCEPTIONS, THE DISPLAY OF PRIOR DESIGNS OF NUMBER PLATES
7 OR CERTAIN SPECIAL LICENSE PLATES AFTER ISSUANCE OF A NEW DESIGN; DELAYING THE NEW
8 ISSUE OF NUMBER PLATES UNTIL ~~2008~~ 2006; INCREASING LICENSE PLATE FEES; REVISING THE
9 REPORTING REQUIREMENTS PERTAINING TO HOLDERS OF AMATEUR RADIO OPERATOR LICENSE
10 PLATES; REVISING THE REQUIREMENTS GOVERNING QUALIFICATION, ISSUANCE, AND RENEWAL OF
11 GENERIC SPECIALTY LICENSE PLATES; ALLOWING COLLECTION AND DISBURSEMENT OF SPONSOR
12 DONATION FEES BY COUNTY TREASURERS AND THE DEPARTMENT OF REVENUE; EXPANDING THE
13 VEHICLE TYPES ELIGIBLE FOR GENERIC SPECIALTY LICENSE PLATES; MAKING THE MONTANA
14 GENERIC SPECIALTY LICENSE PLATE ACT PERMANENT; CLARIFYING SPECIAL LICENSE PLATE TYPES
15 THAT MAY BE USED TO PERMANENTLY REGISTER A VEHICLE; AMENDING SECTIONS 61-3-301,
16 61-3-321, 61-3-332, 61-3-333, 61-3-424, 61-3-465, 61-3-473, 61-3-474, 61-3-475, 61-3-476, 61-3-477, 61-3-478,
17 61-3-479, 61-3-480, 61-3-481, AND 61-3-562, MCA; REPEALING SECTION 21, CHAPTER 402, LAWS OF
18 2001; AND PROVIDING EFFECTIVE DATES AND APPLICABILITY DATES."

19
20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

21
22 **Section 1.** Section 61-3-301, MCA, is amended to read:
23 **"61-3-301. Registration -- license plate required -- display.** (1) Except as otherwise provided in this
24 chapter, a person may not operate a motor vehicle upon the public highways of Montana unless the vehicle is
25 properly registered and has the proper number plates conspicuously displayed, one on the front and one on the
26 rear of the vehicle, each securely fastened to prevent it from swinging and unobstructed from plain view, except
27 that vehicles authorized to display demonstrator plates under 61-4-125 or 61-4-129 may have only one number
28 plate conspicuously displayed on the rear. A person may not display on a vehicle at the same time a number
29 assigned to it under any motor vehicle law except as provided in this chapter. A junk vehicle, as defined in Title
30 75, chapter 10, part 5, being driven or towed to an auto wrecking graveyard for disposal is exempt from the

1 provisions of this section.

2 (2) A person may not purchase or display on a vehicle a license plate bearing the number assigned to
3 any county, as provided in 61-3-332, other than the county of the person's permanent residence at the time of
4 application for registration. However, the owner of a motor vehicle requiring a license plate on a motor vehicle
5 used in the public transportation of persons or property may make application for the license in any county
6 through which the motor vehicle passes in its regularly scheduled route, and the license plate issued bearing
7 the number assigned to that county may be displayed on the motor vehicle in any other county of the state.

8 (3) It is unlawful to ~~use~~:

9 (a) display license plates issued to one vehicle on any other vehicle, trailer, or semitrailer unless legally
10 transferred as provided by statute, ~~or to~~:

11 (b) repaint old license plates to resemble current license plates; or

12 (c) display a prior design of number plates issued under 61-3-332(4)(a) or special license plates issued
13 under 61-3-332(10) or 61-3-421 more than 18 months after a new design of number plates or special license
14 plates has been issued, except as provided in 61-3-332(4)(c) and (4)(d), 61-3-448, or 61-3-468.

15 (4) This section does not apply to a vehicle exempt from taxation under 15-6-215 or subject to the
16 registration fee or fee in lieu of tax under 61-3-520.

17 (5) A person violating these provisions is guilty of a misdemeanor and is subject to the penalty
18 prescribed in 61-3-601.

19 (6) FOR THE PURPOSES OF THIS SECTION, "CONSPICUOUSLY DISPLAYED" MEANS THAT THE REQUIRED LICENSE
20 PLATES ARE OBVIOUSLY VISIBLE AND FIRMLY ATTACHED TO:

21 (A) THE FRONT AND THE REAR BUMPER OF A MOTOR VEHICLE EQUIPPED WITH FRONT AND REAR BUMPERS; OR

22 (B) OTHER CLEARLY VISIBLE LOCATIONS ON THE FRONT AND THE REAR EXTERIORS OF A MOTOR VEHICLE."

23

24 **Section 2.** Section 61-3-321, MCA, is amended to read:

25 **"61-3-321. Registration fees of vehicles -- certain vehicles exempt from license or registration**
26 **fees -- disposition of fees.** (1) Registration or license fees must be paid upon registration or reregistration of
27 motor vehicles, trailers, and semitrailers, in accordance with this chapter, as follows:

28 (a) light vehicles under 2,850 pounds, \$13.75;

29 (b) trailers with a declared weight of less than 2,500 pounds and semitrailers, \$8.25;

30 (c) motor vehicles registered pursuant to 61-3-411 that are:

- 1 (i) ~~over~~ 2,850 pounds and over, \$10; and
- 2 (ii) under 2,850 pounds, \$5;
- 3 (d) off-highway vehicles registered pursuant to 23-2-817, \$9;
- 4 (e) light vehicles over 2,850 pounds, trucks and buses less than 1 ton, and heavy trucks in excess of
- 5 1 ton, \$18.75;
- 6 (f) logging trucks less than 1 ton, \$23.75;
- 7 (g) motor homes, \$22.25;
- 8 (h) motorcycles and quadricycles, \$9.75;
- 9 (i) trailers and semitrailers between 2,500 and 6,000 pounds, \$11.25;
- 10 (j) trailers and semitrailers in excess of 6,000 pounds, other than trailers and semitrailers registered in
- 11 other jurisdictions and registered through a proportional registration agreement, \$16.25;
- 12 (k) travel trailers, \$11.75; and
- 13 (l) recreational vehicles, \$3.50.
- 14 (2) If a motor vehicle, trailer, or semitrailer is originally registered 6 months after the time of registration
- 15 as set by law, the registration or license fee for the remainder of the year is one-half of the regular fee.
- 16 (3) An additional fee of \$5 must be collected for the registration of each motorcycle as a safety fee and
- 17 must be deposited in the state motorcycle safety account provided for in 20-25-1002.
- 18 (4) A fee of ~~\$2~~ \$5 for each set of new number plates must be collected when number plates provided
- 19 for under 61-3-332(2) are issued.
- 20 (5) The provisions of this part with respect to the payment of registration fees do not apply to and are
- 21 not binding upon motor vehicles, trailers, semitrailers, or tractors owned or controlled by the United States of
- 22 America or any state, county, city, or special district, as defined in 18-8-202.
- 23 (6) (a) Except as provided in 61-3-562 and subsection (6)(b) of this section, a fee of 25 cents a year for
- 24 each registration of a vehicle must be collected when a vehicle is registered or reregistered. The revenue
- 25 derived from this fee must be forwarded by the county treasurer for deposit in the general fund for transfer to
- 26 the credit of the senior citizens and persons with disabilities transportation services account provided for in
- 27 7-14-112.
- 28 (b) The following vehicles are not subject to the fee imposed in subsection (6)(a):
- 29 (i) trailers and semitrailers registered in other jurisdictions and registered through a proportional
- 30 registration agreement; and

1 (ii) travel trailers, recreational vehicles, and off-highway vehicles registered pursuant to 23-2-817.

2 (7) The provisions of this section relating to the payment of registration fees or new number plate fees
3 do not apply when number plates are transferred to a replacement vehicle under 61-3-317, 61-3-332, or
4 61-3-335.

5 (8) A person qualifying under 61-3-332(10)(d) is exempt from the fees required under this section.

6 (9) Except as otherwise provided in this section, revenue collected under this section must be deposited
7 in the state general fund."

8

9 **Section 3.** Section 61-3-332, MCA, is amended to read:

10 **"61-3-332. (Temporary) Number plates.** (1) A motor vehicle that is driven upon the streets or highways
11 of Montana must display both front and rear number plates, bearing the distinctive number assigned to the
12 vehicle.

13 (2) In addition to special license plates, collegiate license plates, and generic specialty license plates
14 authorized under this chapter, a separate series of number plates must be issued, in the manner specified, for
15 each of the following vehicle or dealer types:

16 (a) passenger vehicles, including automobiles, vans, and sport utility vehicles;

17 (b) motorcycles and quadricycles, bearing the letters "MC" or "CYCLE";

18 (c) trucks, bearing the letter "T" or the word "TRUCK";

19 (d) trailers, bearing the letters "TR" or the word "TRAILER";

20 (e) dealers of new, or new and used, motor vehicles, including trucks and trailers, bearing the letter "D"
21 or the word "DEALER";

22 (f) dealers of used motor vehicles only, including trucks and trailers, bearing the letters "UD" or the letter
23 "U" and the word "DEALER";

24 (g) dealers of motorcycles or quadricycles, bearing the letters "MCD" or the letters "MC" and the word
25 "DEALER";

26 (h) dealers of trailers or semitrailers, bearing the letters "DTR" or the letters "TR" and the word
27 "DEALER"; and

28 (i) dealers of recreational vehicles, bearing the letters "RV" or the letter "R" and the word "DEALER".

29 (3) (a) Except as provided in 61-3-479 and subsections (4)(c) and (4)(d) of this section, all number
30 plates for motor vehicles must be issued for a ~~maximum~~ minimum period of 4 years, bear a distinctive marking,

1 and be furnished by the department. In years when number plates are not issued, the department shall provide
2 nonremovable stickers bearing appropriate registration numbers that must be affixed to the license plates in use.

3 (b) For motorcycles, quadricycles, and light vehicles that are permanently registered as provided in
4 61-3-527 or 61-3-315 and 61-3-562, the department shall provide distinctive nonremovable stickers indicating
5 that the vehicle is permanently registered. The stickers must be affixed to the license plates in use.

6 (4) (a) Subject to the provisions of this section, the department shall create a new design for number
7 plates as provided in this section, and it shall manufacture the newly designed number plates for issuance after
8 December 31, ~~1999~~2007~~2005~~, to replace at renewal, as required in 61-3-312 and 61-3-314, number plates that
9 were displayed on motor vehicles before that date.

10 (b) Beginning January 1, ~~2000~~2008~~2006~~, the department shall manufacture and issue new number
11 plates ~~every~~ after the existing plates have been used for a minimum period of 4 years.

12 (c) A light vehicle that is registered for a 24-month period, as provided in 61-3-315 and 61-3-560, may
13 display the number plate and plate design in effect at the time of registration for the entire 24-month registration
14 period.

15 (d) A motorcycle, quadricycle, or light vehicle that is permanently registered, as provided in 61-3-527
16 or 61-3-315 and 61-3-562, may display the number plate and plate design in effect at the time of registration for
17 the entire period that the vehicle is permanently registered.

18 (5) In the case of passenger vehicles and trucks, plates must be of metal 6 inches wide and 12 inches
19 in length. Except for generic specialty license plates, the outline of the state of Montana must be used as a
20 distinctive border on the license plates, and the word "Montana" must be placed on each plate. Registration
21 plates must be treated with a reflectorized background material according to specifications prescribed by the
22 department.

23 (6) The distinctive registration numbers must begin with a number one or with a letter-number
24 combination, such as "A 1" or "AA 1", or any other similar combination of letters and numbers. Except for special
25 license plates, collegiate license plates, and generic specialty license plates, the distinctive registration number
26 or letter-number combination assigned to the vehicle must appear on the plate preceded by the number of the
27 county and appearing in horizontal order on the same horizontal baseline. The county number must be
28 separated from the distinctive registration number by a separation mark unless a letter-number combination is
29 used. The dimensions of the numerals and letters must be determined by the department, and all county and
30 registration numbers must be of equal height.

1 (7) For the use of exempt motor vehicles and motor vehicles that are exempt from the registration fee
2 as provided in 61-3-560(2)(a), in addition to the markings provided in this section, number plates must bear the
3 following distinctive markings:

4 (a) For vehicles owned by the state, the department may designate the prefix number for the various
5 state departments. All numbered plates issued to state departments must bear the words "State Owned", and
6 a year number may not be indicated on the plates because these numbered plates are of a permanent nature
7 and will be replaced by the department only when the physical condition of numbered plates requires it.

8 (b) For vehicles that are owned by the counties, municipalities, and special districts, as defined in
9 18-8-202, organized under the laws of Montana and not operating for profit, and that are used and operated by
10 officials and employees in the line of duty and for vehicles on loan from the United States government or the
11 state of Montana to, or owned by, the civil air patrol and used and operated by officials and employees in the
12 line of duty, there must be placed on the number plates assigned, in a position that the department may
13 designate, the letter "X" or the word "EXEMPT". Distinctive registration numbers for plates assigned to motor
14 vehicles of each of the counties in the state and those of the municipalities and special districts that obtain plates
15 within each county must begin with number one and be numbered consecutively. Because these number plates
16 are of a permanent nature, they are subject to replacement by the department only when the physical condition
17 of the number plates requires it and a year number may not be displayed on the number plates.

18 (8) Number plates issued to a passenger vehicle, truck, trailer, motorcycle, or quadricycle may be
19 transferred only to a replacement passenger vehicle, truck, trailer, motorcycle, or quadricycle. A registration or
20 license fee may not be assessed upon a transfer of a number plate under 61-3-317 and 61-3-335.

21 (9) For the purpose of this chapter, the several counties of the state are assigned numbers as follows:
22 Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Fergus, 8;
23 Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt, 17;
24 Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25;
25 Pondera, 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33;
26 Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41;
27 Carter, 42; Broadwater, 43; Wheatland, 44; Prairie, 45; Granite, 46; Meagher, 47; Liberty, 48; Park, 49; Garfield,
28 50; Jefferson, 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum, 55; Lincoln, 56. Any new counties must
29 be assigned numbers by the department as they may be formed, beginning with the number 57.

30 (10) Each type of special license plate approved by the legislature, except collegiate license plates

1 authorized in 61-3-463 and generic specialty license plates authorized in 61-3-472 through 61-3-481, must be
2 a separate series of plates, numbered as provided in subsection (6), except that the county number must be
3 replaced by a nonremovable design or decal designating the group or organization to which the applicant
4 belongs. Unless otherwise specifically stated in this section, the special plates are subject to the same rules and
5 laws as govern the issuance of regular license plates, must be placed or mounted on a vehicle owned by the
6 person who is eligible to receive them, and must be removed upon sale or other disposition of the vehicle. The
7 special license plates must be issued to national guard members, former prisoners of war, persons with
8 disabilities, reservists, disabled veterans, survivors of the Pearl Harbor attack, veterans of the armed services,
9 national guard veterans, legion of valor members, or veterans of the armed services who were awarded the
10 purple heart medal, who comply with the following provisions:

11 (a) (i) An active member of the Montana national guard may be issued special license plates with a
12 design or decal displaying the letters "NG". The adjutant general shall issue to each active member of the
13 Montana national guard a certificate authorizing the department to issue national guard plates, numbered in sets
14 of two with a different number on each set, and the member shall surrender the plates to the department upon
15 becoming ineligible to use them.

16 (ii) The department may issue national guard veteran plates, bearing a design or decal displaying the
17 Montana national guard insignia and the words "National Guard veteran" and numbered in sets of two with a
18 different number on each set, to an applicant who presents to the department a copy of certification of national
19 guard retirement eligibility issued by the appropriate authorities for the applicant or the applicant's deceased
20 spouse and who pays, in addition to all taxes and fees required by parts 3 and 5 of this chapter, a national guard
21 veteran license plate fee of \$10. The additional fee must be distributed in accordance with the provisions of
22 subsection (12).

23 (b) An active member of the reserve armed forces of the United States of America who is a resident
24 of this state may be issued special license plates with a design or decal displaying the following: United States
25 army reserve, AR (symbol); United States naval reserve, NR (anchor); United States air force reserve, AFR
26 (symbol); and United States marine corps reserve, MCR (globe and anchor). The commanding officer of each
27 armed forces reserve unit shall issue to each eligible member of the reserve unit a certificate authorizing the
28 issuance of special license plates, numbered in sets of two with a different number on each set. The member
29 shall surrender the plates to the department upon becoming ineligible to use them.

30 (c) (i) Subject to the limitation in 61-3-453, a resident of Montana who is a veteran of the armed forces

1 of the United States and who has been awarded the purple heart and is 50% or more disabled because of an
2 injury that has been determined by the department of veterans affairs to be service-connected or who is 100%
3 disabled because of an injury that has been determined by the department of veterans affairs to be
4 service-connected may, upon presentation to the department of documentation required in subsection (10)(f)(i)
5 and proof of the required disability, be issued:

6 (A) a special license plate under this section with the purple heart decal or a design or decal displaying
7 the letters "DV"; or

8 (B) one set of any other military-related plates that the 50% or more disabled veteran who has been
9 awarded the purple heart or the disabled veteran is eligible to receive under this section.

10 (ii) The fee for original or renewal registration by a 100% disabled veteran for a motor vehicle, as defined
11 in 61-1-102, that is not used for commercial purposes is \$5 and is in lieu of all other fees and taxes for that
12 vehicle under this chapter irrespective of which set of military license plates the veteran is eligible to receive and
13 chooses to display under subsection (10)(c)(i).

14 (iii) The fee for original or renewal registration for a motor vehicle, as defined in 61-1-102, that is not
15 used for commercial purposes by a 50% or more disabled veteran who has been awarded the purple heart and
16 who meets the criteria in subsection (10)(c)(i) is \$5 and is in lieu of other taxes and fees for that vehicle under
17 this chapter, except for the \$10 fee required in subsection (10)(f)(iii), regardless of which set of military license
18 plates the veteran is eligible to receive and chooses to display under subsection (10)(c)(i). Special license plates
19 issued to a 50% or more disabled veteran who has been awarded the purple heart under subsection (10)(c) may
20 be retained by a surviving spouse, subject to payment of all taxes and fees required under parts 3 and 4 of this
21 chapter as provided in subsection (10)(f)(iii).

22 (iv) Special license plates issued to a disabled veteran and, except as provided in subsection (10)(c)(iii),
23 to a 50% or more disabled veteran who has been awarded the purple heart are not transferable to another
24 person.

25 (v) A 50% or more disabled veteran who has been awarded the purple heart or a disabled veteran is
26 not entitled to a special license plate for more than one vehicle.

27 (vi) A vehicle that is lawfully displaying a disabled veteran's plate with a design or decal displaying the
28 letters "DV" and that is conveying a 100% disabled veteran is entitled to the parking privileges allowed a person
29 with a disability's vehicle under this title.

30 (d) (i) A Montana resident who is a veteran of the armed forces of the United States and was captured

1 and held prisoner by a military force of a foreign nation, documented by the veteran's service record, may upon
2 application and presentation of proof be issued special license plates, numbered in sets of two with a different
3 number on each set, with a design or decal displaying the words "ex-prisoner of war" or an abbreviation that the
4 department considers appropriate.

5 (ii) Fees required under 61-3-321(1) and (6) may not be assessed upon one set of license plates issued
6 to an ex-prisoner of war under this subsection (10)(d).

7 (iii) A special license plate fee may not be assessed upon one set of special license plates issued to an
8 ex-prisoner of war under this subsection (10)(d).

9 (iv) An ex-prisoner of war is exempt from the registration fees imposed under 61-3-560 through 61-3-562
10 for one vehicle that displays a set of ex-prisoner of war license plates.

11 (v) A surviving spouse of an ex-prisoner of war may retain the special license plates that have been
12 issued to the ex-prisoner of war if the spouse complies with the provisions of 61-3-457.

13 (e) Except as provided in subsections (10)(c) and (10)(d), upon payment of all taxes and fees required
14 by parts 3 and 5 of this chapter and upon furnishing proof satisfactory to the department that the applicant meets
15 the requirements of this subsection (10)(e), the department shall issue to a Montana resident who is a veteran
16 of the armed services of the United States special license plates, numbered in sets of two with a different
17 number on each set, designed to indicate that the applicant is a survivor of the Pearl Harbor attack if the
18 applicant was a member of the United States armed forces on December 7, 1941, was on station on December
19 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. (Hawaii time) at Pearl Harbor, the island of Oahu, or was
20 offshore at a distance of not more than 3 miles, and received an honorable discharge from the United States
21 armed forces. If special license plates issued under subsection (10)(d) and this subsection are lost, stolen, or
22 mutilated, the recipient of the plates is entitled to replacement plates upon request and without charge.

23 (f) A motor vehicle owner and resident of this state who is a veteran or the surviving spouse of a veteran
24 of the armed services of the United States may be issued license plates inscribed as provided in subsection
25 (10)(f)(i) if the veteran was separated from the armed services under other than dishonorable circumstances or
26 was awarded the purple heart medal:

27 (i) Upon submission of a department of defense form 214(DD-214) or its successor or documents
28 showing an other-than-dishonorable discharge or a reenlistment, proper identification, and other relevant
29 documents to show an applicant's qualification under this subsection, there must be issued to the applicant, in
30 lieu of the regular license plates prescribed by law, special license plates numbered in sets of two with a different

1 number on each set. The plates must display:

2 (A) the word "VETERAN" and a symbol signifying the United States army, United States navy, United
3 States air force, United States marine corps, or United States coast guard, according to the record of service
4 verified in the application; or

5 (B) a symbol representing the purple heart medal.

6 (ii) Plates must be furnished by the department to the county treasurer, who shall issue them to a
7 qualified veteran or to the veteran's surviving spouse. The plates must be placed or mounted on the vehicle
8 owned by the veteran or the veteran's surviving spouse designated in the application and must be removed upon
9 sale or other disposition of the vehicle.

10 (iii) Except as provided for 100% disabled veterans and ex-prisoners of war in subsections (10)(c) and
11 (10)(d), a veteran or surviving spouse who receives special license plates under this subsection (10)(f) is liable
12 for payment of all taxes and fees required under parts 3 and 4 of this chapter and a special veteran's or purple
13 heart medal license plate fee of \$10.

14 (g) A Montana resident who is eligible to receive a special parking permit under 49-4-301 may, upon
15 written application on a form prescribed by the department, be issued a special license plate with a design or
16 decal bearing a representation of a wheelchair as the symbol of a person with a disability.

17 (h) The department may issue legion of valor license plates, bearing a design or decal depicting the
18 recognized legion of valor medallion and numbered in sets of two with a different number on each set, to an
19 applicant who presents to the department proper documentation of receipt of a legion of valor award by
20 appropriate authorities to the applicant or the applicant's deceased spouse and who pays all taxes and fees
21 required by parts 3 and 5 of this chapter.

22 (i) An active member of the armed forces of the United States who is a resident of the state or who is
23 stationed outside of Montana may be issued special license plates inscribed as provided in subsection
24 (10)(f)(i)(A). The member's commanding officer may issue a certificate or some other relevant document to show
25 the applicant's qualification and authorizing the issuance of the special license plates in sets of two with a
26 different number on each set. The member is liable for payment of all taxes and fees required by this chapter,
27 except as provided in 61-3-456.

28 (11) The provisions of this section do not apply to a motor vehicle, trailer, or semitrailer that is registered
29 as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711 through 61-3-733.

30 (12) Fees collected under this section must be deposited in the state general fund. ~~Terminates July 1,~~

1 ~~2005--sec. 21, Ch. 402, L. 2001.)~~

2 ~~———— **61-3-332. (Effective July 1, 2005) Number plates.** (1) A motor vehicle that is driven upon the streets~~

3 ~~or highways of Montana must display both front and rear number plates, bearing the distinctive number assigned~~

4 ~~to the vehicle.~~

5 ~~———— (2) In addition to special license plates and collegiate license plates authorized under this chapter, a~~

6 ~~separate series of number plates must be issued, in the manner specified, for each of the following vehicle or~~

7 ~~dealer types:~~

8 ~~———— (a) passenger vehicles, including automobiles, vans, and sport utility vehicles;~~

9 ~~———— (b) motorcycles and quadricycles, bearing the letters "MC" or "CYCLE";~~

10 ~~———— (c) trucks, bearing the letter "T" or the word "TRUCK";~~

11 ~~———— (d) trailers, bearing the letters "TR" or the word "TRAILER";~~

12 ~~———— (e) dealers of new, or new and used, motor vehicles, including trucks and trailers, bearing the letter "D"~~

13 ~~or the word "DEALER";~~

14 ~~———— (f) dealers of used motor vehicles only, including trucks and trailers, bearing the letters "UD" or the letter~~

15 ~~"U" and the word "DEALER";~~

16 ~~———— (g) dealers of motorcycles or quadricycles, bearing the letters "MCD" or the letters "MC" and the word~~

17 ~~"DEALER";~~

18 ~~———— (h) dealers of trailers or semitrailers, bearing the letters "DTR" or the letters "TR" and the word~~

19 ~~"DEALER"; and~~

20 ~~———— (i) dealers of recreational vehicles, bearing the letters "RV" or the letter "R" and the word "DEALER".~~

21 ~~———— (3) (a) Except as provided in subsections (4)(c) and (4)(d), all number plates for motor vehicles must~~

22 ~~be issued for a maximum period of 4 years, bear a distinctive marking, and be furnished by the state. In years~~

23 ~~when number plates are not issued, the department shall provide nonremovable stickers bearing appropriate~~

24 ~~registration numbers that must be affixed to the license plates in use.~~

25 ~~———— (b) For motorcycles, quadricycles, and light vehicles that are permanently registered as provided in~~

26 ~~61-3-527 or 61-3-315 and 61-3-562, the department shall provide distinctive nonremovable stickers indicating~~

27 ~~that the vehicle is permanently registered. The stickers must be affixed to the license plates in use.~~

28 ~~———— (4) (a) Subject to the provisions of this section, the department shall create a new design for number~~

29 ~~plates as provided in this section, and it shall manufacture the newly designed number plates for issuance after~~

30 ~~December 31, 1999, to replace at renewal, as required in 61-3-312 and 61-3-314, number plates that were~~

1 ~~displayed on motor vehicles before that date.~~

2 ~~———(b) Beginning January 1, 2000, the department shall manufacture and issue new number plates every~~
3 ~~4 years.~~

4 ~~———(c) A light vehicle that is registered for a 24-month period, as provided in 61-3-315 and 61-3-560, may~~
5 ~~display the number plate and plate design in effect at the time of registration for the entire 24-month registration~~
6 ~~period.~~

7 ~~———(d) A motorcycle, quadricycle, or light vehicle that is permanently registered, as provided in 61-3-527~~
8 ~~or 61-3-315 and 61-3-562, may display the number plate and plate design in effect at the time of registration for~~
9 ~~the entire period that the vehicle is permanently registered.~~

10 ~~———(5) In the case of passenger vehicles and trucks, plates must be of metal 6 inches wide and 12 inches~~
11 ~~in length. The outline of the state of Montana must be used as a distinctive border on the license plates, and the~~
12 ~~word "Montana" and the year must be placed across the plates. Registration plates must be treated with a~~
13 ~~reflectorized background material according to specifications prescribed by the department.~~

14 ~~———(6) The distinctive registration numbers must begin with a number one or with a letter-number~~
15 ~~combination, such as "A 1" or "AA 1", or any other similar combination of letters and numbers. The distinctive~~
16 ~~registration number or letter-number combination assigned to the vehicle must appear on the plate preceded~~
17 ~~by the number of the county and appearing in horizontal order on the same horizontal baseline. The county~~
18 ~~number must be separated from the distinctive registration number by a separation mark unless a letter-number~~
19 ~~combination is used. The dimensions of the numerals and letters must be determined by the department, and~~
20 ~~all county and registration numbers must be of equal height.~~

21 ~~———(7) For the use of exempt motor vehicles and motor vehicles that are exempt from the registration fee~~
22 ~~as provided in 61-3-560(2)(a), in addition to the markings provided in this section, number plates must bear the~~
23 ~~following distinctive markings:~~

24 ~~———(a) For vehicles owned by the state, the department may designate the prefix number for the various~~
25 ~~state departments. All numbered plates issued to state departments must bear the words "State Owned", and~~
26 ~~a year number may not be indicated on the plates because these numbered plates are of a permanent nature~~
27 ~~and will be replaced by the department only when the physical condition of numbered plates requires it.~~

28 ~~———(b) For vehicles that are owned by the counties, municipalities, and special districts, as defined in~~
29 ~~18-8-202, organized under the laws of Montana and not operating for profit, and that are used and operated by~~
30 ~~officials and employees in the line of duty and for vehicles on loan from the United States government or the~~

1 state of Montana to, or owned by, the civil air patrol and used and operated by officials and employees in the
 2 line of duty, there must be placed on the number plates assigned, in a position that the department may
 3 designate, the letter "X" or the word "EXEMPT". Distinctive registration numbers for plates assigned to motor
 4 vehicles of each of the counties in the state and those of the municipalities and special districts that obtain plates
 5 within each county must begin with number one and be numbered consecutively. Because these number plates
 6 are of a permanent nature, they are subject to replacement by the department only when the physical condition
 7 of the number plates requires it and a year number may not be displayed on the number plates.

8 ——— (8) Number plates issued to a passenger vehicle, truck, trailer, motorcycle, or quadricycle may be
 9 transferred only to a replacement passenger vehicle, truck, trailer, motorcycle, or quadricycle. A registration or
 10 license fee may not be assessed upon a transfer of a number plate under 61-3-317 and 61-3-335.

11 ——— (9) For the purpose of this chapter, the several counties of the state are assigned numbers as follows:
 12 Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Fergus, 8;
 13 Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt, 17;
 14 Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25;
 15 Pondera, 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33;
 16 Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41;
 17 Carter, 42; Broadwater, 43; Wheatland, 44; Prairie, 45; Granite, 46; Meagher, 47; Liberty, 48; Park, 49; Garfield,
 18 50; Jefferson, 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum, 55; Lincoln, 56. Any new counties must
 19 be assigned numbers by the department as they may be formed, beginning with the number 57.

20 ——— (10) Each type of special license plate approved by the legislature, except collegiate license plates
 21 authorized in 61-3-463, must be a separate series of plates, numbered as provided in subsection (6), except that
 22 the county number must be replaced by a nonremovable design or decal designating the group or organization
 23 to which the applicant belongs. Unless otherwise specifically stated in this section, the special plates are subject
 24 to the same rules and laws as govern the issuance of regular license plates, must be placed or mounted on a
 25 vehicle owned by the person who is eligible to receive them, and must be removed upon sale or other disposition
 26 of the vehicle. The special license plates must be issued to national guard members, former prisoners of war,
 27 persons with disabilities, reservists, disabled veterans, survivors of the Pearl Harbor attack, veterans of the
 28 armed services, national guard veterans, legion of valor members, or veterans of the armed services who were
 29 awarded the purple heart medal, who comply with the following provisions:

30 ——— (a) (i) An active member of the Montana national guard may be issued special license plates with a

1 ~~design or decal displaying the letters "NG". The adjutant general shall issue to each active member of the~~
2 ~~Montana national guard a certificate authorizing the department to issue national guard plates, numbered in sets~~
3 ~~of two with a different number on each set, and the member shall surrender the plates to the department upon~~
4 ~~becoming ineligible to use them.~~

5 ~~———(ii) The department may issue national guard veteran plates, bearing a design or decal displaying the~~
6 ~~Montana national guard insignia and the words "National Guard veteran" and numbered in sets of two with a~~
7 ~~different number on each set, to an applicant who presents to the department a copy of certification of national~~
8 ~~guard retirement eligibility issued by the appropriate authorities for the applicant or the applicant's deceased~~
9 ~~spouse and who pays, in addition to all taxes and fees required by parts 3 and 5 of this chapter, a national guard~~
10 ~~veteran license plate fee of \$10. The additional fee must be distributed in accordance with the provisions of~~
11 ~~subsection (12).~~

12 ~~———(b) An active member of the reserve armed forces of the United States of America who is a resident~~
13 ~~of this state may be issued special license plates with a design or decal displaying the following: United States~~
14 ~~army reserve, AR (symbol); United States naval reserve, NR (anchor); United States air force reserve, AFR~~
15 ~~(symbol); and United States marine corps reserve, MCR (globe and anchor). The commanding officer of each~~
16 ~~armed forces reserve unit shall issue to each eligible member of the reserve unit a certificate authorizing the~~
17 ~~issuance of special license plates, numbered in sets of two with a different number on each set. The member~~
18 ~~shall surrender the plates to the department upon becoming ineligible to use them.~~

19 ~~———(c) (i) Subject to the limitation in 61-3-453, a resident of Montana who is a veteran of the armed forces~~
20 ~~of the United States and who has been awarded the purple heart and is 50% or more disabled because of an~~
21 ~~injury that has been determined by the department of veterans affairs to be service-connected or who is 100%~~
22 ~~disabled because of an injury that has been determined by the department of veterans affairs to be~~
23 ~~service-connected may, upon presentation to the department of documentation required in subsection (10)(f)(i)~~
24 ~~and proof of the required disability, be issued:~~

25 ~~———(A) a special license plate under this section with the purple heart decal or a design or decal displaying~~
26 ~~the letters "DV"; or~~

27 ~~———(B) one set of any other military-related plates that the 50% or more disabled veteran who has been~~
28 ~~awarded the purple heart or the disabled veteran is eligible to receive under this section.~~

29 ~~———(ii) The fee for original or renewal registration by a 100% disabled veteran for a motor vehicle, as defined~~
30 ~~in 61-4-102, that is not used for commercial purposes is \$5 and is in lieu of all other fees and taxes for that~~

1 vehicle under this chapter irrespective of which set of military license plates the veteran is eligible to receive and
2 chooses to display under subsection (10)(c)(i):

3 ~~———(iii) The fee for original or renewal registration for a motor vehicle, as defined in 61-1-102, that is not~~
4 ~~used for commercial purposes by a 50% or more disabled veteran who has been awarded the purple heart and~~
5 ~~who meets the criteria in subsection (10)(c)(i) is \$5 and is in lieu of other taxes and fees for that vehicle under~~
6 ~~this chapter, except for the \$10 fee required in subsection (10)(f)(iii), regardless of which set of military license~~
7 ~~plates the veteran is eligible to receive and chooses to display under subsection (10)(c)(i). Special license plates~~
8 ~~issued to a 50% or more disabled veteran who has been awarded the purple heart under subsection (10)(c) may~~
9 ~~be retained by a surviving spouse, subject to payment of all taxes and fees required under parts 3 and 4 of this~~
10 ~~chapter as provided in subsection (10)(f)(iii):~~

11 ~~———(iv) Special license plates issued to a disabled veteran and, except as provided in subsection (10)(c)(iii),~~
12 ~~to a 50% or more disabled veteran who has been awarded the purple heart are not transferable to another~~
13 ~~person:~~

14 ~~———(v) A 50% or more disabled veteran who has been awarded the purple heart or a disabled veteran is~~
15 ~~not entitled to a special license plate for more than one vehicle:~~

16 ~~———(vi) A vehicle that is lawfully displaying a disabled veteran's plate with a design or decal displaying the~~
17 ~~letters "DV" and that is conveying a 100% disabled veteran is entitled to the parking privileges allowed a person~~
18 ~~with a disability's vehicle under this title:~~

19 ~~———(d) (i) A Montana resident who is a veteran of the armed forces of the United States and was captured~~
20 ~~and held prisoner by a military force of a foreign nation, documented by the veteran's service record, may upon~~
21 ~~application and presentation of proof be issued special license plates, numbered in sets of two with a different~~
22 ~~number on each set, with a design or decal displaying the words "ex-prisoner of war" or an abbreviation that the~~
23 ~~department considers appropriate:~~

24 ~~———(ii) Fees required under 61-3-321(1) and (6) may not be assessed upon one set of license plates issued~~
25 ~~to an ex-prisoner of war under this subsection (10)(d):~~

26 ~~———(iii) A special license plate fee may not be assessed upon one set of special license plates issued to an~~
27 ~~ex-prisoner of war under this subsection (10)(d):~~

28 ~~———(iv) An ex-prisoner of war is exempt from the registration fees imposed under 61-3-560 through 61-3-562~~
29 ~~for one vehicle that displays a set of ex-prisoner of war license plates:~~

30 ~~———(v) A surviving spouse of an ex-prisoner of war may retain the special license plates that have been~~

1 issued to the ex-prisoner of war if the spouse complies with the provisions of 61-3-457.

2 ~~———(e) Except as provided in subsections (10)(c) and (10)(d), upon payment of all taxes and fees required~~
3 ~~by parts 3 and 5 of this chapter and upon furnishing proof satisfactory to the department that the applicant meets~~
4 ~~the requirements of this subsection (10)(e), the department shall issue to a Montana resident who is a veteran~~
5 ~~of the armed services of the United States special license plates, numbered in sets of two with a different~~
6 ~~number on each set, designed to indicate that the applicant is a survivor of the Pearl Harbor attack if the~~
7 ~~applicant was a member of the United States armed forces on December 7, 1941, was on station on December~~
8 ~~7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. (Hawaii time) at Pearl Harbor, the island of Oahu, or was~~
9 ~~offshore at a distance of not more than 3 miles, and received an honorable discharge from the United States~~
10 ~~armed forces. If special license plates issued under subsection (10)(d) and this subsection are lost, stolen, or~~
11 ~~mutilated, the recipient of the plates is entitled to replacement plates upon request and without charge.~~

12 ~~———(f) A motor vehicle owner and resident of this state who is a veteran or the surviving spouse of a veteran~~
13 ~~of the armed services of the United States may be issued license plates inscribed as provided in subsection~~
14 ~~(10)(f)(i) if the veteran was separated from the armed services under other than dishonorable circumstances or~~
15 ~~was awarded the purple heart medal:~~

16 ~~———(i) Upon submission of a department of defense form 214(DD-214) or its successor or documents~~
17 ~~showing an other-than-dishonorable discharge or a reenlistment, proper identification, and other relevant~~
18 ~~documents to show an applicant's qualification under this subsection, there must be issued to the applicant, in~~
19 ~~lieu of the regular license plates prescribed by law, special license plates numbered in sets of two with a different~~
20 ~~number on each set. The plates must display:~~

21 ~~———(A) the word "VETERAN" and a symbol signifying the United States army, United States navy, United~~
22 ~~States air force, United States marine corps, or United States coast guard, according to the record of service~~
23 ~~verified in the application; or~~

24 ~~———(B) a symbol representing the purple heart medal.~~

25 ~~———(ii) Plates must be furnished by the department to the county treasurer, who shall issue them to a~~
26 ~~qualified veteran or to the veteran's surviving spouse. The plates must be placed or mounted on the vehicle~~
27 ~~owned by the veteran or the veteran's surviving spouse designated in the application and must be removed upon~~
28 ~~sale or other disposition of the vehicle.~~

29 ~~———(iii) Except as provided for 100% disabled veterans and ex-prisoners of war in subsections (10)(c) and~~
30 ~~(10)(d), a veteran or surviving spouse who receives special license plates under this subsection (10)(f) is liable~~

1 for payment of all taxes and fees required under parts 3 and 4 of this chapter and a special veteran's or purple
2 heart medal license plate fee of \$10.

3 ~~———(g) A Montana resident who is eligible to receive a special parking permit under 49-4-301 may, upon
4 written application on a form prescribed by the department, be issued a special license plate with a design or
5 decal bearing a representation of a wheelchair as the symbol of a person with a disability.~~

6 ~~———(h) The department may issue legion of valor license plates, bearing a design or decal depicting the
7 recognized legion of valor medallion and numbered in sets of two with a different number on each set, to an
8 applicant who presents to the department proper documentation of receipt of a legion of valor award by
9 appropriate authorities to the applicant or the applicant's deceased spouse and who pays all taxes and fees
10 required by parts 3 and 5 of this chapter.~~

11 ~~———(i) An active member of the armed forces of the United States who is a resident of the state or who is
12 stationed outside of Montana may be issued special license plates inscribed as provided in subsection
13 (10)(f)(i)(A). The member's commanding officer may issue a certificate or some other relevant document to show
14 the applicant's qualification and authorizing the issuance of the special license plates in sets of two with a
15 different number on each set. The member is liable for payment of all taxes and fees required by this chapter,
16 except as provided in 61-3-456.~~

17 ~~———(11) The provisions of this section do not apply to a motor vehicle, trailer, or semitrailer that is registered
18 as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711 through 61-3-733.~~

19 ~~———(12) Fees collected under this section must be deposited in the state general fund."~~

20

21 **Section 4.** Section 61-3-333, MCA, is amended to read:

22 **"61-3-333. Replacing number plates.** In the event of loss, mutilation, or destruction of number plates;
23 ~~and/or or~~ validation devices, the owner of the registered motor vehicle may obtain from the department
24 duplicates or replacements of the number plates upon filing a sworn declaration showing that fact and payment
25 of a fee of ~~\$2~~ \$5. In the event of loss, mutilation, or destruction of pioneer plates, duplicates may be obtained
26 in the same manner upon payment of a fee of \$5."

27

28 **Section 5.** Section 61-3-424, MCA, is amended to read:

29 **"61-3-424. List of amateur radio operators' special operator license plates -- distribution to public**
30 **officials.** The department shall, on or before July 1 of each year, furnish to the disaster and emergency services

1 ~~division of the department of military affairs and the chief of the state highway patrol, to the director of civil~~
 2 ~~defense, to the sheriff of each county in the state, to the chief of police of each incorporated city in the state, and~~
 3 ~~to other public officials as the department considers necessary, an electronic record containing a county-based,~~
 4 ~~alphabetically arranged list of the names, addresses, and license plate numbers and letters of each person to~~
 5 ~~whom a special an amateur radio operator license plate or a combined license plate has been issued, and it.~~
 6 ~~It is the duty of the department, sheriffs, and chiefs of police to maintain and keep current the lists for public~~
 7 ~~information and inquiry, particularly in relation to public emergencies disaster and emergency services division~~
 8 ~~of the department of military affairs and the chief of the state highway patrol to retain this information for use in~~
 9 ~~the event of a public emergency or other disruption of commonly used communication networks."~~

10
 11 **Section 6.** Section 61-3-465, MCA, is amended to read:

12 **"61-3-465. Issuance -- application -- additional fee -- disposition.** (1) The department shall issue or
 13 renew collegiate license plates upon receipt of an application that shows:

- 14 (a) compliance with 61-3-303, 61-3-311, and 61-3-312; and
 15 (b) payment to the county treasurer of:
 16 (i) an initial application and manufacturing fee of ~~\$2.50~~ \$5, when required; and
 17 (ii) an annual scholarship donation of \$20 for the benefit of the institution named in the application.

18 (2) Once each month, the county treasurer shall, as provided in 15-1-504, transfer to the department
 19 of revenue the total of the amounts collected for:

- 20 (a) the initial application and manufacturing fee for deposit in the state general fund; and
 21 (b) scholarship donations provided for in subsection (1)(b)(ii), along with a schedule showing the
 22 number of collegiate license plates issued and the total donations received for the benefit of each institution.

23 (3) Once each month, the department of revenue shall distribute to the student academic scholarship
 24 fund or foundation of each institution an amount equal to the total donations credited to that institution and
 25 transferred to the department of revenue by the county treasurers during the preceding month."

26
 27 **Section 7.** Section 61-3-473, MCA, is amended to read:

28 **"61-3-473. (Temporary) Definitions.** As used in 61-3-472 through 61-3-481, the following definitions
 29 apply:

30 (1) "Generic specialty license plate" means a license plate ~~bearing~~ that bears the name, identifying

1 phrase, or graphic of a sponsor, approved by the department, and that is issued by the department to a person
2 who is entitled to a special certificate of registration.

3 (2) "Governmental body" means a tribal government, state agency, local government, school district,
4 or other political subdivision within this state.

5 (3) "Organization" means an association, corporation, group, or other entity:

6 (a) recognized by the internal revenue service as tax-exempt under 26 U.S.C. 501(c)(3); and

7 (b) that does not have as its primary focus sectarian activities, including but not limited to activities
8 aimed at promoting the adoption of one or more religious or political viewpoints.

9 ~~(4) "Special certificate of registration" means the certificate of motor vehicle registration issued in
10 accordance with 61-3-479.~~

11 ~~(5)~~(4) "Sponsor" means the governmental body or organization approved by the department to promote
12 the sale and issuance of a generic specialty license plate.

13 ~~(6)~~(5) "Tribal government" means the officially recognized government of an Indian tribe, nation, or other
14 organized Indian group or community located in Montana that is exercising self-government powers and that
15 is recognized as being eligible for services provided by the United States to Indians because of their status as
16 Indians. ~~(Terminates June 30, 2005--sec. 21, Ch. 402, L. 2001.)"~~

17

18 **Section 8.** Section 61-3-474, MCA, is amended to read:

19 **"61-3-474. (Temporary) Responsibility for design of generic specialty license plates -- numbering**
20 **-- rulemaking -- approval -- county designation by sticker -- listing of plate sponsors.** (1) The department
21 shall:

22 (a) design the background and general format of generic specialty license plates;

23 (b) in consultation with the department of corrections, determine which license plate processing system
24 is the most efficient and versatile manufacturing method for the production of generic specialty license plates;

25 (c) use a numbering system for generic specialty license plates that is distinctive from the numbering
26 system required under 61-3-332 or used for collegiate license plates;

27 (d) adopt rules that prescribe:

28 (i) the minimum and maximum number of characters that a generic specialty license plate may display;

29 (ii) the general placement of the sponsor's name, identifying phrase, and graphic; and

30 (iii) any specifications or limitations on the use or choice of color or detail in the sponsor's graphic design.

1 (2) All sponsor names, identifying phrases, and graphics intended for use on generic specialty license
2 plates must be approved by the department prior to the manufacture of the plates.

3 (3) Upon the issuance of generic specialty license plates, the department shall provide nonremovable
4 stickers bearing the appropriate county designation as provided in 61-3-332. The stickers must be affixed to the
5 license plates in use in accordance with instructions by the department.

6 (4) The department shall maintain a list of the ~~organizations that it has approved as sponsors that have~~
7 been approved to promote the sale and issuance of generic specialty license plates, including the name and
8 address of a generic specialty license plate liaison for each organization the initial distribution date for sale of
9 each sponsored generic specialty license plate, and the donation fee established by the sponsor for each
10 sponsored generic specialty license plate. The department shall, upon request, make copies of this list available
11 to interested members of the public.

12 (5) The department may, in its discretion, revoke its previous approval of ~~an organization's a sponsor's~~
13 generic specialty license plate sponsorship if:

14 (a) ~~the organization sponsor~~ fails to comply with the provisions of 61-3-472 through 61-3-481 ~~or if:~~

15 (b) fewer than 400 sets of a sponsor's generic specialty license plate have been sold OR RENEWED in
16 the 12-month period immediately preceding the third anniversary of the date of initial distribution of the
17 sponsored generic specialty license plate; or

18 (c) ~~the department has reliable information that the organization may sponsor is no longer be~~ qualified
19 for sponsorship under 61-3-472 through 61-3-481.

20 (6) (a) Upon revocation of a sponsor's generic specialty license plate sponsorship status, the issuance
21 and sale of the sponsor's generic specialty license plates must be terminated and a donation fee may not be
22 charged or collected upon registration renewal of a vehicle displaying previously issued generic specialty license
23 plates affiliated with that sponsor.

24 (b) A person who owns a vehicle displaying valid generic specialty license plates affiliated with a
25 sponsor whose sponsorship status has been revoked may continue to display those generic specialty license
26 plates on the person's vehicle if the vehicle's registration is properly renewed in subsequent years and the plates
27 remain legible.

28 (c) Following revocation of a sponsor's sponsorship status, the department may not issue duplicates
29 of generic specialty license plates affiliated with that sponsor that are lost, destroyed, or mutilated. (Terminates
30 June 30, 2005--sec. 21, Ch. 402, L. 2001.)"

1
2 **Section 9.** Section 61-3-475, MCA, is amended to read:

3 **"61-3-475. (Temporary) Qualifications and approval of organization as sponsor.** (1) To qualify as
4 a sponsor of a generic specialty license plate, an organization shall:

5 (a) apply, through the organization's officers, for sponsorship on a form or in a format prescribed by the
6 department;

7 (b) submit proof of good standing if the organization is required to be registered with the office of the
8 secretary of state;

9 (c) designate one of its members as the organization's generic specialty license plate liaison. The liaison
10 is responsible for all communications with the department regarding the organization's sponsorship of generic
11 specialty license plates and shall file the liaison's name, address, and telephone number with the department
12 ~~for the purposes provided for in 61-3-474(4).~~

13 (d) specify in its application the donation fee proposed by the organization for initial purchase of the
14 organization's generic specialty license plate and for renewal of the organization's generic specialty license plate
15 if the fee is required on renewal;

16 ~~(d)~~(e) submit to the department proof that is acceptable to the department that:

17 (i) the organization is a nonprofit organization as demonstrated in its charter or bylaws or by an internal
18 revenue service ruling. The department may request copies of an internal revenue service ruling to verify an
19 organization's nonprofit status.

20 (ii) the primary purpose of the organization, except for an organization of military service veterans, is
21 service to the community through specific programs that promote improving public health, education, or general
22 welfare;

23 (iii) the organization's name, identifying phrase, or graphic that will be placed on the generic specialty
24 license plate does not:

25 (A) invoke connotations offensive to good taste and decency;

26 (B) promote, advertise, or endorse a product, brand, or service provided for sale;

27 (C) infringe or otherwise violate a trademark, trade name, service mark, copyright, or other proprietary
28 or property right; or

29 (D) obscure the generic specialty license plate letters or numbers that the department assigns as
30 provided in 61-3-474(1)(c);

1 (iv) the organization's headquarters or base of operations is in this state or, if the organization is a
 2 chapter or branch of an international, national, or regional organization, the chapter or branch is in good standing
 3 and has authorization in writing from the parent organization to use the name and graphic of the parent
 4 organization; and

5 (v) the organization has an active telephone number listed under its name in at least one published
 6 Montana directory.

7 (2) The department may require a statement under oath from the officers of the organization that the
 8 organization is authorized to use the name, identifying phrase, and graphic submitted for display on a generic
 9 specialty license plate and that no infringement or violation of any property right exists, together with an
 10 agreement to defend and hold harmless the state of Montana, its employees, or its agents for any liability as a
 11 result of an infringement or violation of any property right.

12 (3) The department's approval or rejection of an organization's application for generic specialty license
 13 plate sponsorship must be based on the requirements provided in 61-3-472 through 61-3-481. The department
 14 shall state in writing the reasons for its rejection of an organization's application.

15 (4) An organization may apply for and be approved to sponsor only one generic specialty license plate
 16 design at any time. Once a minimum 4-year period has expired, an organization may apply to the department
 17 for approval of a new generic specialty license plate design along with submission of the fee required under
 18 61-3-478(1).

19 (5) If the department approves the organization's new generic specialty license plate design, issuance
 20 and renewal of the previously approved generic specialty license plate must be discontinued, effective on the
 21 date of the initial distribution of the newly approved generic specialty license plate design. (~~Terminates June 30,~~
 22 2005--sec. 21, Ch. 402, L. 2001.)"

23

24 **Section 10.** Section 61-3-476, MCA, is amended to read:

25 **"61-3-476. (Temporary) Qualification and approval of governmental body as sponsor.** To qualify
 26 for sponsorship of a generic specialty license plate, a governmental body shall:

27 (1) apply for sponsorship through the executive body of a tribal government, the state agency director
 28 or department head, the commission or council of a local government or political subdivision, or the board of
 29 trustees of a school district on a form or in a format approved by the department;

30 (2) if the governmental body is a state agency, identify the statutory authority under which it is relying

1 to seek sponsorship of a generic specialty license plate and specify the account in which any generic specialty
2 license plate donations must be placed;

3 (3) designate one of its officers or employees as the governmental body's generic specialty license plate
4 liaison. The liaison is responsible for all communications with the department regarding the governmental body's
5 sponsorship of generic specialty license plates and shall file the liaison's name, address, and telephone number
6 with the department for the purposes provided for in 61-3-474(4). (~~Terminates June 30, 2005--sec. 21, Ch. 402,~~
7 ~~L. 2001.~~)"

8

9 **Section 11.** Section 61-3-477, MCA, is amended to read:

10 **"61-3-477. (Temporary) Generic specialty license plate liaison -- responsibilities.** (1) Upon the
11 department's approval of an organization's or a governmental body's proposed sponsorship of a generic
12 specialty license plate, the generic specialty license plate liaison designated under 61-3-475(1)(c) and
13 61-3-476(3) shall submit to the department the sponsor's name, identifying phrase, and graphic that will appear
14 on the generic specialty license plate.

15 (2) The generic specialty license plate liaison shall:

16 (a) verify and approve in writing the prototype or mockup of the sponsoring organization's sponsor's
17 generic specialty license plate before it may be manufactured or issued by the department; and

18 (b) confirm, in writing, the donation fee established by the sponsor for initial purchase of the sponsor's
19 generic specialty license plate and for renewal of the sponsor's generic specialty license plate if the fee is
20 required on renewal.

21 (~~3) Subject to the provisions of 61-3-479, the generic specialty license plate liaison shall determine a~~
22 ~~person's eligibility to receive a generic specialty license plate and shall provide, on behalf of the sponsor, a~~
23 ~~written certificate of eligibility to an eligible person who has paid the required donation as determined by the~~
24 ~~sponsor and as provided in 61-3-480.~~

25 (3) Once a sponsor's generic specialty license plate has been approved for manufacture and
26 distribution, the donation fee established by the sponsor and confirmed by the liaison may not be changed
27 unless a new plate design is authorized in accordance with 61-3-475. (~~Terminates June 30, 2005--sec. 21, Ch.~~
28 ~~402, L. 2001.~~)"

29

30 **Section 12.** Section 61-3-478, MCA, is amended to read:

1 **"61-3-478. (Temporary) Generic specialty license plate sponsor fee -- exception.** (1) Except as
 2 provided in subsection (2), upon approval of an organization's application to sponsor a generic specialty license
 3 plate and before a sponsor's generic specialty license plates may be manufactured, the department shall assess
 4 and the sponsor shall pay a ~~\$1,200~~ \$4,000 fee to reimburse the department of corrections for the prison
 5 industries training program for the initial costs incurred in producing the generic specialty license plates for the
 6 ~~sponsoring organization sponsor.~~

7 (2) In lieu of the fee required in subsection (1), a minimum of 400 applications for a ~~sponsoring~~
 8 ~~organization's sponsor's~~ generic specialty license plates must be filed and prepaid with the department before
 9 the generic specialty license plates may be manufactured and issued. ~~(Terminates June 30, 2005--sec. 21, Ch.~~
 10 ~~402, L. 2001.)"~~

11
 12 **Section 13.** Section 61-3-479, MCA, is amended to read:

13 **"61-3-479. (Temporary) ~~Special certificate of registration and issuance~~ Issuance of generic**
 14 **specialty license plates -- qualifications.** (1) ~~The~~ (A) EXCEPT AS PROVIDED IN SUBSECTION (1)(B), THE department
 15 shall issue a ~~special certificate of registration and set of~~ generic specialty license plates to a person who applies
 16 ~~if the person presents written certification, in a form prescribed by the department, from the sponsoring~~
 17 ~~organization indicating that the person is eligible to receive the generic specialty license plates~~ for a particular
 18 style of generic specialty license plates and pays the donation fee established by the plate sponsor and the
 19 administrative fee required in 61-3-480.

20 ~~(2) If the sponsor is a governmental body that has a written agreement with the county treasurer~~
 21 ~~pursuant to 61-3-480, the department shall issue a special certificate of registration and generic specialty license~~
 22 ~~plates to an eligible person who applies if the person pays the donation specified by the governmental body to~~
 23 ~~the county treasurer at the time of application.~~

24 (B) IF THE SPONSOR OF A GENERIC SPECIALTY LICENSE PLATE IS NOT LISTED ON THE COUNTY COLLECTION
 25 REPORT PUBLISHED BY THE DEPARTMENT OF REVENUE AND REQUIRED UNDER 15-1-504 AS OF THE INITIAL DISTRIBUTION
 26 DATE FOR THE SALE OF THE SPONSOR'S PLATES, THE DEPARTMENT SHALL REQUIRE THE SPONSOR TO COLLECT THE INITIAL
 27 DONATION FEE FROM, AND ISSUE A SPECIAL CERTIFICATE OF REGISTRATION TO, A PERSON WHO IS ELIGIBLE TO RECEIVE
 28 THE SPONSOR'S GENERIC SPECIALTY LICENSE PLATES. THE PERSON SHALL PRESENT THE SPECIAL CERTIFICATE OF
 29 REGISTRATION UPON APPLICATION FOR THE GENERIC SPECIALTY LICENSE PLATES.

30 ~~(3)(2) A special certificate of registration and set of~~ generic specialty license plates may be issued ~~only~~

1 for ~~a light~~ any vehicle, except a trailer of any size, a motorcycle, or a quadricycle.

2 ~~(4) The department may issue a special certificate of registration and generic specialty license plates~~
3 ~~to joint owners of a motor vehicle if one of the owners is determined by the sponsor to be eligible and if the~~
4 ~~eligible owner's name appears on the vehicle's special certificate of registration.~~

5 ~~(5)(3)~~ (a) Except as provided in 61-3-472 through 61-3-481 and 61-3-562, a person who receives a
6 ~~special certificate of registration and generic specialty license plates~~ is subject to the same rules and laws as
7 those that govern number plates.

8 (b) Except as provided in 61-3-472 through 61-3-481 and 61-3-562, the department is subject to the
9 same rules and laws as that govern the issuance of number plates.

10 (c) Generic specialty license plates issued under 61-3-472 through 61-3-481 are not subject to ~~the~~
11 ~~maximum 4-year limitation provided in 61-3-332(3)(a)~~ any maximum issuance or use limitation that may be
12 imposed on number plates. (Terminates June 30, 2005--sec. 21, Ch. 402, L. 2001.)"

13

14 **Section 14.** Section 61-3-480, MCA, is amended to read:

15 **"61-3-480. (Temporary) Fees for generic specialty license plates -- disposition.** (1) In addition to
16 the other fees and taxes imposed by law, an eligible person who applies for a generic specialty license plate
17 shall pay ~~the donation fee specified by the sponsor and~~ an administrative fee of ~~\$10~~ \$15 AND, EXCEPT AS
18 PROVIDED IN 61-3-479(1)(B), THE DONATION FEE SPECIFIED BY THE SPONSOR.

19 (2) The county treasurer shall, upon receipt of the fee fees:

20 (a) deposit \$2 ~~\$2~~ \$5 of the \$15 administrative fee in the county general fund; ~~and~~

21 (b) notwithstanding any other provisions of Title 7, Title 17, or this title AND UNLESS OTHERWISE PROVIDED
22 IN 61-3-479(1)(B), accept the donation fee paid by the plate purchaser; and

23 (c) as provided in 15-1-504, once each month, transmit to the department of revenue for distribution:

24 (b)(i) remit \$8 ~~\$8~~ \$10 of the \$15 administrative fee to the state general fund; ~~and~~

25 (ii) all donation fees provided for in subsections (1) and (3), along with a schedule showing the number
26 and type of generic specialty license plates issued and total donations received for the benefit of each sponsor
27 of a generic specialty license plate issued or renewed, to each respective sponsor.

28 ~~(2) An applicant for a generic specialty license plate sponsored by a state agency shall pay to the county~~
29 ~~treasurer the donation required by the state agency. The county treasurer shall remit the entire amount of the~~
30 ~~donation to the department of revenue for deposit in either the state general fund or the state special revenue~~

1 ~~fund to the credit of the sponsoring state agency.~~

2 (3) ~~If an additional~~ the donation fee is required by a ~~state agency for sponsor upon~~ renewal of generic
3 specialty license plates ~~sponsored by the state agency~~, the ~~additional donation fee~~ must be paid to the county
4 treasurer upon renewal of registration and remitted to the state agency transmitted to the department of revenue
5 as prescribed in subsection (2).

6 ~~(4) The county treasurer shall also collect from an applicant any donation required by a sponsoring local~~
7 ~~government, school district, or political subdivision if a written agreement exists between the county treasurer~~
8 ~~and the sponsoring local government, school district, or political subdivision. The agreement must:~~

9 ~~—— (a) authorize the collection of the donations by the county treasurer;~~

10 ~~—— (b) specify the amount of donation required for issuance and renewal of the generic specialty license~~
11 ~~plates; and~~

12 ~~—— (c) provide for the disbursement of the revenue.~~

13 (4) Once each month, the department of revenue shall distribute to the generic specialty license plate
14 liaison designated by a sponsor under 61-3-475(1)(c) or 61-3-476(3) an amount equal to the total donations
15 credited to that sponsor and transferred to the department of revenue by the county treasurers during the
16 preceding month. (Terminates June 30, 2005--sec. 21, Ch. 402, L. 2001.)"

17

18 **Section 15.** Section 61-3-481, MCA, is amended to read:

19 **"61-3-481. (Temporary) Generic specialty license plates -- restrictions on use.** (1) Generic specialty
20 license plates may be issued by the department ~~only~~ in conjunction with the registration of ~~a light any~~ vehicle,
21 except a trailer of any size, a motorcycle, or a quadricycle. The department may not issue generic specialty
22 license plates without the motor vehicle having been registered.

23 (2) Generic specialty license plates may be used only as the official number plates for a motor vehicle.
24 ~~(Terminates June 30, 2005--sec. 21, Ch. 402, L. 2001.)"~~

25

26 **Section 16.** Section 61-3-562, MCA, is amended to read:

27 **"61-3-562. Permanent registration -- transfer of vehicle ownership -- rules.** (1) (a) ~~The~~ Except as
28 provided in subsection (1)(c), the owner of a light vehicle 11 years old or older subject to the registration fee, as
29 provided in 61-3-561, may permanently register the vehicle upon payment of a \$50 registration fee, the
30 applicable registration and license fees under 61-3-321, and an amount equal to five times the applicable fees

1 imposed for each of the following:

2 (i) junk vehicle disposal fees under 15-1-122(3)(a);

3 (ii) weed control fees under 15-1-122(3)(b);

4 (iii) the former county motor vehicle computer fees under 61-3-511;

5 (iv) the local option vehicle tax or flat fee on vehicles under 61-3-537;

6 (v) if applicable, special license plate fees under 61-3-332 and renewal fees for personalized plates
7 under 61-3-406; and

8 ~~(vi) if applicable, the amateur radio operator license plate fee under 61-3-422;~~

9 ~~—— (vii) if applicable, the annual scholarship donation fee under 61-3-465; and~~

10 ~~(viii)~~(vi) senior citizens and persons with disabilities transportation services fees as provided in
11 61-3-321(6).

12 (b) A person who permanently registers a vehicle as provided in subsection (1)(a) shall pay an
13 additional \$2 fee at the time of registration for deposit in the state general fund. The department shall pay from
14 the general fund an amount equal to the \$2 fee collected under this subsection (1)(b) from each motor vehicle
15 registration to the pension trust fund for payment of supplemental benefits provided for in 19-6-709.

16 (c) The following series of license plates may not be used for purposes of permanent registration of a
17 vehicle:

18 (i) Montana national guard license plates issued under 61-3-332(10)(a)(i);

19 (ii) reserve armed forces license plates issued under 61-3-332(10)(b);

20 (iii) license plates bearing a wheelchair design as a symbol of a person with a disability issued under
21 61-3-332(10)(g);

22 (iv) amateur radio operator license plates issued under 61-3-422;

23 (v) collegiate license plates issued under 61-3-465; and

24 (vi) generic specialty license plates issued under 61-3-479.

25 (2) In addition to the fees described in subsection (1), an owner of a truck with a manufacturer's rated
26 capacity of 1 ton or less that is permanently registered shall pay five times the applicable fees imposed under
27 61-10-201.

28 (3) The owner of a vehicle that is permanently registered under this section is not subject to additional
29 fees under 61-3-561 or to other motor vehicle registration fees described in this section for as long as the owner
30 owns the vehicle.

1 (4) The county treasurer shall:

2 (a) distribute the \$50 registration fee collected under this section as provided in 61-3-509;

3 (b) once each month, remit to the department of revenue the amounts collected under this section, other
4 than the local option vehicle tax or flat fee, for the purposes of 61-3-321(3) and 61-10-201. The county treasurer
5 shall retain the local option vehicle tax or flat fee.

6 (5) (a) The permanent registration of a vehicle allowed by this section may not be transferred to a new
7 owner. If the vehicle is transferred to a new owner, the department shall cancel the vehicle's permanent
8 registration.

9 (b) Upon transfer of a vehicle registered under this section to a new owner, the new owner shall apply
10 for a certificate of ownership under 61-3-201 and file an application for registration under 61-3-303. (Subsection
11 (1)(b) terminates on occurrence of contingency--sec. 24, Ch. 191, L. 2001.)"

12

13 NEW SECTION. Section 17. Repealer. Section 21, Chapter 402, Laws of 2001, is repealed.

14

15 NEW SECTION. Section 18. Effective dates. (1) Except as provided in subsections (2) through (4),
16 [this act] is effective July 1, 2003.

17 (2) [Sections 2, 4, and 6] are effective January 1, 2004.

18 (3) [Section 1] is effective October 1, 2003.

19 (4) [Sections 3, 5, 9, 11, 12, 19, and this section] are effective on passage and approval.

20

21 NEW SECTION. Section 19. Applicability. (1) [Sections 2, 4, and 6] apply to the registration of motor
22 vehicles and the display of license plates issued after December 31, 2003.

23 (2) [Sections 7, 8, and 13 through 16] apply to the registration of motor vehicles and the display of
24 license plates issued after June 30, 2003.

25 (3) [Sections 3, 5, 9, 11, and 12] apply to applications for sponsorship of a generic specialty license
26 plate submitted to the department on or after [the effective date of sections 3, 5, 9, 11, and 12].

27

- END -